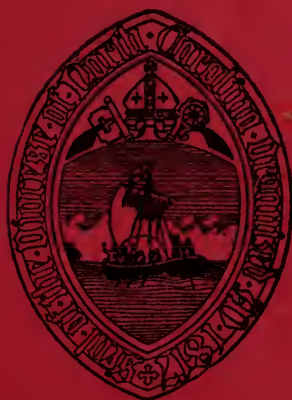


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# CONSTITUTION *and* CANONS



DIOCESE OF  
NORTH CAROLINA

1956



**CONSTITUTION AND CANONS**  
OF THE  
**Diocese of North Carolina**  
OF THE  
**PROTESTANT EPISCOPAL CHURCH**  
IN THE  
**United States of America**  
TOGETHER WITH THE  
**RULES OF ORDER**



PUBLISHED BY ORDER OF THE CONVENTION

**1956**

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# Constitution

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## ARTICLE I

The Church in the Diocese of North Carolina accedes to and adopts the Constitution of the Protestant Episcopal Church in the United States of America, as set forth in General Convention thereof, and acknowledges its authority accordingly.

## ARTICLE II

SECTION 1. There shall be an Annual Convention of the Church in this Diocese at such time and place as may be determined by the next preceding Convention, or, in the event of no such determination, on the last Wednesday in May, at such place as may be agreed upon by the Bishop and Standing Committee.

SEC. 2. But the time and place of such meeting may be changed, or special Conventions called, by the Ecclesiastical Authority of the Diocese, subject, nevertheless, to such canonical provisions as may hereafter be made.

SEC. 3. *Provided*, That no special Convention shall be called without at least sixty days' notice, which notice shall be published for at least once a week for four weeks next after the date thereof in three different newspapers of the State, and shall specify the business and purpose for which said special Convention is to be called, and upon that alone it shall act.

## ARTICLE III

SECTION 1. The Convention shall be composed of the two orders, Clerical and Lay.

SEC. 2. The Bishop of the Diocese, or in his absence, the Bishop Coadjutor, or any Bishop in charge, as representing the Ecclesiastical Authority, shall, in the order named above, if present, preside at all meetings of the Convention and shall appoint all Committees unless it be otherwise ordered.

SEC. 3. Every Clergyman of the Church having been canonically connected with the Diocese, as well as having been a resident therein,





for six calendar months before any meeting of the Convention, either as a Clergyman or as a Candidate for Orders, shall be entitled to a seat and vote in the same: *Provided*, That the restriction of residence as above required, shall not apply to professors, tutors or students in the General Theological Seminary, or in any university or college maintained and governed in part by the Diocese, or to any officers or members of the staff of the National Council, or to Chaplains in the Armed Forces of the United States.

SEC. 4. Each regularly Organized Parish in union with the Convention shall be entitled to be represented at its sessions by one or more delegates, not exceeding four, to be chosen by the Vestry from among the male communicants of said Parish: And each Vestry shall be entitled to elect, in addition, four alternate delegates, subject to the same qualifications, who shall be authorized, in the order of their election, to fill any vacancy that may occur in the delegation originally chosen: *Provided*, that no person, clerical or lay, under Ecclesiastical censure, publicly declared by a competent tribunal, shall be admissible to a seat in the Convention: *Provided, further*, that no person shall be allowed to represent more than one Parish in the same Convention.

SEC. 5. When an Organized Mission desires to be admitted into union with the Convention, it shall follow the same procedure, so far as applicable, as that prescribed for the admission of a Parish.

SEC. 6. Each regularly Organized Mission in union with the Convention, and having not less than twenty adult communicants, shall be entitled to be represented at the sessions of the Convention by one delegate, to be elected by the congregation from among the adult male communicants of the Mission, subject to the conditions and limitations of section 4.

SEC. 7. If any Parish or Mission shall neglect or decline to appoint delegates, or if any of those appointed shall neglect or be prevented from attending, such Parish or Mission shall, nevertheless, be bound by the acts of the Convention.

#### ARTICLE IV

SECTION 1. The Convention shall be the sole judge of the election of its own members. It shall have power to adopt rules of order for its own government, elect officers and raise funds, and shall also have such other legislative powers as may be necessary and proper for the well-being of the Diocese.



SEC. 2. The Convention shall have no power to pass any Canon infringing the Episcopal Authority, or affecting the spiritual condition of the Diocese, against the express dissent of the Bishop: *Provided*, that said dissent shall be expressed at that or the ensuing Annual Convention.

SEC. 3. But this shall not prevent the Convention from offering, independently of the Bishop, resolutions of advice or inquiry, or from any proceedings necessary for the purpose of impeachment.

#### ARTICLE V

To constitute a quorum, the presence of one third of all the Clergy entitled to vote, and of one or more delegates from twenty parishes entitled to representation in the Convention, shall be necessary. Any less number shall be competent to receive reports and to recess or adjourn.

#### ARTICLE VI

SECTION 1. Upon any question before the Convention, when it may be required by any Clerical member, or by the delegation present of any one Parish, the two orders shall vote separately. And in all cases of a vote by orders, each Clerical member shall be entitled to one vote, and each Parish shall also be entitled to one vote, and each regularly Organized Mission shall be entitled to one-fourth vote, and a concurrence of majorities of both orders shall be necessary to a decision. When no such division is called for, each member of the Convention shall be entitled to one vote.

SEC. 2. All elections shall be by ballot, unless otherwise unan-  
imously ordered.

#### ARTICLE VII

SECTION 1. The Convention shall annually elect a Secretary and a Treasurer.

SEC. 2. Should there at any time be no such election, then the officers last before elected shall hold over until such election shall be had.

SEC. 3. Should the office of Secretary or that of Treasurer become vacant, by death or otherwise, at any time preceding the annual election, the Ecclesiastical Authority shall be empowered to appoint some person to fill the vacancy until such time as an election shall be had,



who shall be competent to all the powers and duties of the office as if regularly elected thereto.

## ARTICLE VIII

SECTION 1. A Standing Committee or Council of Advice to the Bishop, of not less than five persons, shall be annually elected by the Convention. A majority of said Committee shall at all times be Clergymen of the Diocese, and no layman not a communicant shall be a member thereof.

SEC. 2. The Committee shall have power to fill any vacancy that may occur in its own body between the annual meetings of the Convention.

SEC. 3. When there is no Bishop, the Standing Committee shall be the Ecclesiastical Authority of the Diocese, and as such may invite the temporary services of other Bishops, and, for due cause, may change the time or place of the annual meetings of the Convention. It may also summon special Conventions when there is no Bishop, and shall do so upon the call of one-third of the Clergy of the Diocese, or of one-third of the Parishes in union with the Convention, as appearing upon the lists of the Journal last before published. And although there be a Bishop, the Standing Committee shall have power to call special Conventions for the purpose of proceedings relative to his impeachment, and shall do so upon a similar requisition by the Clergy or Laity.

## ARTICLE IX

SECTION 1. Any forty or more adults may organize themselves into a Parish, and be received into union with the Convention, by taking such steps as may be provided for by Canon. And the Ecclesiastical Authority of the Diocese may organize Missions in such manner as shall be provided by Canon, in any part of the Diocese not included within the limits of an organized Parish in union with the Convention.

SEC. 2. *Provided*, that it shall always be competent to the Ecclesiastical Authority of the Diocese, with the consent in writing of the Rector of any Parish, a copy of which consent shall be filed with the Registrar of the Diocese, to organize a mission within the limits of said Parish, whose ministers shall be independent of the Rector and responsible only to the Ecclesiastical Authority aforesaid: *Provided, furthermore*, if the consent of the Rector be denied, an appeal may be



taken to the Bishop, whose decision, if by the advice and consent of the Standing Committee, shall be final.

SEC. 3. In all Parochial elections none shall be entitled to vote but communicants of the age of twenty-one years, members of the Parish, who shall have subscribed a declaration in the following words, viz.:

“We, the undersigned, do hereby consent to be governed by the Constitutions and Canons of the Church, as set forth in General Convention, and by the Constitution and Canons of the Church in this Diocese.”

SEC. 4. Any Parish ceasing to be represented in the Convention for two successive years, or any Parish resisting the authority of the Convention, may be suspended from the right of representation, or its connection with the Convention be dissolved, by a vote of a majority of all the clergy present and entitled to vote, and of a majority of delegates from at least twenty Parishes. But such suspension or dissolution shall never take place without previous inquiry by a committee appointed for the purpose, and a report upon the facts of the case; nor until after thirty days' notice to the Rector or Vestry, or in case there be none then to some member of the Parish in default.

SEC. 5. Any Parish which receives aid from the Mission funds of the Diocese and does not, for two consecutive years, pay its proportion of the salary of the minister serving it, shall be deprived of the right to vote in the Convention until such arrears be paid or remitted by the Convention.

SEC. 6. Any Parish or Mission which shall fail for three consecutive years to pay its assessments for the Episcopal Maintenance Fund, or shall have failed to observe the conditions of Canon XXIX, Section 6, on the Church Pension Fund, shall be deprived of the right to vote in the Convention until such arrears be paid or remitted by the Convention.

## ARTICLE X

SECTION 1. Any Presbyterian regularly called to the charge of a Parish and entering thereupon, shall, during the time of such charge, be held to be the Rector of said Parish.

SEC. 2. The Rector is recognized as having, by virtue of his office, the exclusive regulation, under his canonical superiors, of all the





spiritual concerns of the Parish; as being entitled at all times to have access to the church building, and to open the same for the services or instruction of this Church, as he may deem proper; to call meetings of the Vestry or congregation; when present, to preside in the same, and, in case of a tie, to cast the deciding vote.

#### ARTICLE XI

The Convention shall pass Canons for the trial of Clergymen.

#### ARTICLE XII

When a Bishop is to be elected, the Convention shall vote by ballot and by orders; and a concurrence of a majority of all the clergy present and entitled to vote in the Convention, and of the delegates from a majority of the Parishes and Organized Missions represented in the Convention (the said delegates voting by Parishes and Missions), shall be necessary to an election. The vote of each such Organized Mission shall be counted as one-fourth vote.

#### ARTICLE XIII

No new Canon shall be passed, nor shall any existing Canon be amended, upon the day upon which said new Canon or amendment may be proposed, except by a two-thirds majority of those present and entitled to vote. Nor, without a similar consent, shall the question upon such Canon or amendment be finally put without previous reference to a committee.

#### ARTICLE XIV

SECTION 1. This Constitution shall not be altered or amended without—

*First.* The concurrence of a majority of both orders present at one Annual Convention proposing said alteration.

*Second.* The adoption of the proposed alteration or amendment at the next ensuing Annual Convention, by a majority of all the Clergy present and entitled to vote in Convention, and of the delegates from a majority of the Parishes and Organized Missions represented in the Convention (the said delegates voting by Parishes and Missions), shall



be necessary to a decision. The vote of each such organized mission shall be counted as one-fourth vote.

SEC. 2. *Provided*, That the consideration of the proposed amendment may always be postponed to the next Annual Convention by a vote of two-thirds of both orders present.

#### ARTICLE XV

All Constitutional enactments shall take effect from and after the adjournment of the Convention at which they shall have been ratified.



# Canons

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## CANON I

### *Change of Time or Place of Meeting of Convention*

Whenever the prevalence of an epidemic or contagious disease or other sufficient cause shall render it necessary, the Ecclesiastical Authority of the Diocese may change the place and time of meeting of the Annual Convention.

## CANON II

### *List of Members of Convention*

SECTION I. *Clergy*.—It shall be the duty of the Secretary, before the opening of the Annual Convention, to apply to the Ecclesiastical Authority for a correct list of the Clergy entitled to seats. Such list shall be *prima facie* evidence of said title, and from it the Secretary shall prepare the roll for the purpose of organization.

SEC. 2. *Laity*.—The Secretaries of the several Parish Vestries, and the clerks of organized Missions, electing lay delegates to the Convention, shall furnish three certificates of said election, whereof one shall be handed to the delegates elect, one shall be forwarded to the Secretary of the Convention, and one to the minister of the Parish where the Convention is to be held, the latter two to be mailed at least four weeks before the time appointed for the opening of the session. From these certificates the Secretary shall prepare a list of lay delegates, to be called at the opening of the Convention; nor shall he insert any name upon the roll without the evidence of one of said certificates, unless specially directed to do so by the Convention. Defective or doubtful certificates shall be laid aside, to be acted upon after the Convention shall have organized.

## CANON III

### *Services*

At the opening of the Convention, divine service shall be celebrated and the Holy Communion administered.



## CANON IV

### *Rules of Order*

The Convention shall adopt Rules of Order, which shall continue in force until altered.

## CANON V

### *Chairman of the Convention*

In the absence of the Bishop of the Diocese and of any other Bishop qualified by the Provisions of the Constitution to preside, the President of the Standing Committee, as representing the Ecclesiastical Authority, shall act as Chairman of the Convention, unless the Convention itself shall otherwise provide.

## CANON VI

### *Secretary*

The Secretary shall issue the prescribed notices of the annual meetings of the Convention, and in case of special meetings of the same, or of a change in the time or place of the regular meeting, shall, under the direction of the Ecclesiastical Authority, issue notices thereof. He shall prepare the canonical lists of the Clergy and lay delegates entitled to seats therein. In the absence of both Bishop and President of the Standing Committee, he shall call the Convention to order for the purpose of organization. He shall keep a record of its proceedings, under its direction, in a suitable book to be kept for the purpose; shall prepare and issue its journals, and shall preserve thirty copies of the Journal for the use of the members of the next ensuing Convention; shall preserve and have ready for reference all papers belonging to the same, not specially given into other hands; and shall also be the Registrar of the Diocese. The Treasurer is hereby directed to pay out of the funds of the Diocese, on the written application of the Secretary, the expenses necessarily incurred by the latter, from time to time, in discharging the duties prescribed by this Canon.

## CANON VII

### *Treasurer*

SECTION 1. The Treasurer shall have custody of all funds or moneys belonging to the Diocese; shall, under the direction of the





Convention, receive, invest and disburse the same, and shall keep and return an account thereof to each annual meeting; and shall also report annually a complete list of all securities belonging to the Diocese. He shall give bond for the faithful discharge of his duties, in such sum as the Convention of the Diocese may from time to time designate, such bond to be approved by the Department of Finance and to be deposited with the Trustees of the Diocese.

SEC. 2. He shall deposit the bonds and other securities in his hands in a place of safety to be designated by the Trustees of the Diocese.

## CANON VIII

### *Committees*

SECTION 1. There shall be annually appointed by the Bishop, or in his absence by the Presiding Officer of the Convention, a Committee on Canons, and a Committee on the State of the Church, each to consist of three Clergymen and two Laymen; a Committee on Elections, a Committee on New Parishes, and a Committee on Unfinished Business, each to consist of two Clergymen and three Laymen; also a Committee on the Church Pension Fund to consist of three Laymen.

SEC. 2. *Standing Committee.* — The Standing Committee shall elect a President and Secretary from its own body. It shall assemble upon the call of its President whenever he may deem it necessary. He shall also summon it whenever required to do so by the Bishop, or by any three members of the Committee. In the event of a vacancy in the Episcopate, the President shall call a meeting within thirty days after knowledge of the fact. The Standing Committee shall hold meetings for the transaction of business on the third Tuesday preceding the stated times of ordination, and at each Convention: *Provided*, that the Committee shall not be required to meet except upon notice by the President. It shall also report to the annual meetings of the Convention the transactions of the preceding year. A record of all its official acts shall be kept by its Secretary, which shall always be open to the inspection of the Bishop and of the Convention.

SEC. 3. *Committee on Canons.*—The Committee on Canons shall receive, consider and present to the Convention all motions or resolutions pertaining to the Constitution, Canons, and Rules of Order, and is competent to originate any new matter touching these subjects, that



it shall see proper. The Committee on Canons may report to the Convention at which it is appointed, or on the first day of the next succeeding Convention.

SEC. 4. *Committee on the State of the Church.*—It shall be the duty of the Committee on the State of the Church, from such materials as may be placed before it, to report to the Convention at some time during its session, the condition of the Diocese, with such particular statements, or such recommendations, as may seem desirable.

SEC. 5. *Committee on New Parishes.*—All applications for the admission of Parishes or Organized Missions into union with the Convention of the Diocese shall be referred to the Committee on New Parishes, whose duty it shall be to ascertain whether they conform to the requirements of the Canons; and on its report that such is the case, the Parish or Mission so applying may be received by vote of the Convention, and its delegates admitted to seats.

SEC. 6. *Committee on Elections.*—It shall be the duty of the Committee on Elections to report to the Convention on all matters referred to it in regard to the claims of delegates to seats and votes in the same.

## CANON IX

### *Deputies to the General Convention*

At each Annual Convention there may, and at each Annual Convention immediately preceding the triennial session of the General Convention there shall, be elected four Clerical and four Lay Deputies to the said General Convention, who shall be communicants of this Church and residents in the Diocese. There shall also be elected four alternate Clerical and four alternate Lay Deputies, subject to the same provisions as the Deputies above mentioned, who shall succeed to vacancies in the original deputation in the order of their election; and in this order the Secretary shall insert their names upon the Journal. Deputies elected to the General Conventions, finding themselves unable to attend, shall four weeks at least before the time of meeting, give notice to the first alternate of the same order. Should said alternate be unable to attend, he shall give immediate notice to the next upon the list of the same order with himself. Should either of said alternates receive two or more of such notices, he shall, according to the circum-



stances, transmit said notices to one or more of the alternates who follow him, and in the order in which they come.

## CANON X

### *Trustees and Chancellor of the Diocese*

SECTION 1. The Bishop, or when there is no Bishop, the President of the Standing Committee, shall *ex officio*, with two laymen to be elected by the Convention, constitute a Board of Trustees for the Church in this Diocese, and shall be authorized to hold the property of the Diocese not otherwise provided for; and, with the concurrence of the Ecclesiastical Authority, evidenced by the signature of the Bishop (or, when there is no Bishop, by the signature of the President of the Standing Committee), to convey, mortgage and encumber the same; they shall also have the power to convey, mortgage and encumber the property of any organized Parish for whose use they hold the same, upon request in writing of the Vestry, if it shall seem advisable to them to do so. In case of refusal to convey upon request made, they shall report the facts to the next Convention.

The Trustees of the Diocese, or any two of them, shall have full power and authority, as a part of their official duties, to sell, transfer, and execute assignments of any stocks or bonds which at any time may be owned by the Diocese of North Carolina of the Protestant Episcopal Church in the United States of America or by its Trustees or any Mission thereof, or of any trust funds in their charge. Said trustees, or any two of them, are authorized to appoint attorneys or agents to execute such assignments.

SEC. 2. The Trustees of the Diocese shall keep a record of their action with regard to all property, both real and personal, vested in them; and shall make a full report thereof annually to the Convention, which report shall be published with the Journal of the Convention.

SEC. 3. The Bishop shall nominate and the Convention confirm a person learned in the law to be Chancellor of the Diocese, whose duty it shall be to advise regarding any questions of law which may arise in the administration of Diocesan affairs. He shall be a communicant and a resident of the Diocese. His term of office shall be three years, and until his successor has been chosen and confirmed. He shall be entitled, *ex officio*, to a seat in all Conventions, and to a vote, except when the vote is by orders.



## CANON XI

### *Salaries, Compensations, Etc.*

SECTION 1. The salary of the Bishop, the Bishop Coadjutor, or the Suffragan Bishop, shall be such as may from time to time be ordered and provided for by the Convention.

SEC. 2. A Suffragan Bishop may be permitted to perform Episcopal duty in neighboring Dioceses upon such terms as may be agreed upon by the Bishop of this Diocese and the other Bishops in whose Diocese the Suffragan Bishop performs such duty.

SEC. 3. *Officers of the Convention, etc.*—The Secretary, the Treasurer, the clerical members of the Annual Convention, and the members of the Standing Committee of the Diocese, of the Department of Finance and of the Committee on Canons, and members of the Board of Examining Chaplains in actual attendance upon the duly called meetings of the bodies to which they severally belong, shall be entitled to have their necessary expenses, incurred by such attendance, paid out of the funds of the Diocese; and the Treasurer of the Diocese is hereby directed to pay the same upon the personal application (by letter or otherwise) of said parties, accompanied by a certificate of the amount actually and necessarily expended in each instance. But no Clergyman who comes to the Convention after the first day of its session, or leaves before its adjournment, shall be entitled to the provisions of this section, without special action of the Convention.

## CANON XII

### *The Diocesan Assessment*

The assessments laid upon the Parishes and Missions for the support of the Episcopate and the current expenses of the Diocese, shall be paid in quarterly installments on or before the first days of July, October, January and April, in each year. And in case of the failure of any Parish or Mission to meet promptly the payment so required, it shall be the duty of the Treasurer to make a demand for the same.

## CANON XIII

### *Collections and Offerings*

SECTION 1. It shall be the duty of every Clergyman of the Diocese to take an annual offering from every congregation served by him for





the Thompson Orphanage and Training Institution on Thanksgiving Day.

SEC. 2. It shall be the duty of the minister of each congregation in the Diocese to obtain, with the assistance of the laity, from every member of the same, if possible, an individual subscription, payable weekly to the work of the National Council and to such missionary and benevolent objects as may be included in the Diocesan Program; and *Provided further*, that where the Budget System, or some similar system, is in use, it shall be considered that the provisions of this section are satisfied by remitting a contribution from such congregation quarterly to each of the above objects.

SEC. 3. It shall be the duty of the Treasurer of such funds in each Parish or Mission to remit promptly each month to the proper officer entitled to receive them all amounts collected as herein provided. And funds contributed for the above purposes shall not be used, even temporarily, for any purpose other than that for which they were contributed.

#### CANON XIV

##### *Permanent Episcopal, Missionary, and Unappropriated Funds*

SECTION 1. There shall be established, to aid in the support of the Episcopate, a fund to be called the Permanent Episcopal Fund, to include all sums hitherto contributed specifically to that object, or which may hereafter be contributed, whereof the principal shall remain untouched, and only the interest be applied to the support of the Episcopate.

SEC. 2. When any funds shall be contributed or collected for a Permanent Missionary Fund, the amount shall be invested and only the interest thereof shall be applied to current missionary expenses.

SEC. 3. All permanent and unappropriated funds belonging to the Diocese shall be received by the Treasurer, and invested in safe securities, which may by him be sold and conveyed, and the proceeds re-invested, all under the direction and with the consent of the Trustees of the Diocese as agents of the Convention.

#### CANON XV

##### *Department of Finance, and Business Methods in Church Affairs*

SECTION 1. The Department of Finance of the Diocese shall, not later than November 1st of each year, prepare a scale of assessments



and apportionments for the purpose of raising funds required for Diocesan purposes for the ensuing year, and shall immediately send a copy thereof to the minister and wardens of every congregation in the Diocese for their information. It may receive applications for the alteration of the said scale, and shall have power to modify the same, reporting all such applications and its action thereon to the Convention.

It shall report to each Convention the general condition of the several funds of the Diocese with such deficits in the assessments as may be discoverable. It may make such recommendations as may seem to it desirable, and shall act upon all other matters relative to Diocesan property committed to it by the Convention. It shall also, from time to time, give directions, not otherwise provided for, to the Treasurer in regard to the investment of the permanent and unappropriated funds of the Diocese in his hands.

SEC. 2. In this Diocese, and all its Parishes, Missions, and Institutions, the following standard business methods shall be observed:

(1) Trust and permanent funds, and all securities of whatsoever kind, shall be deposited with a Federal or State Bank, or a Diocesan Corporation, or with some other agency approved in writing by the Department of Finance of the Diocese, under either a deed of trust, or any agency agreement, providing for at least two signatures on any order of withdrawal of such funds or securities. But this paragraph shall not apply to funds and securities refused by the depositories named as being too small for acceptance. Such small funds and securities shall be under the care of persons or corporations properly responsible for them.

(2) Records shall be made and kept of all trusts and permanent funds showing at least the following:

(a) Source and date. (b) Terms governing the use of principal and income. (c) To whom and how often reports of condition are to be made. (d) How the funds are invested.

(3) Treasurers and custodians other than banking institutions shall be adequately bonded, except Treasurers of funds that do not exceed five hundred dollars at any one time during the fiscal year.

(4) Books of account shall be so kept as to provide the basis for satisfactory accounting.

(5) The fiscal year begins January 1st.



(6) All accounts shall be audited annually by a certified or independent Public Accountant, or by such an accounting agency as shall be permitted by the Department of Finance.

(7) The expense, if there be any, of auditing the account of the Treasurer of the Diocese by a Certified Public Accountant shall be paid by the Treasurer out of the Episcopal Maintenance Fund.

(8) All buildings and their contents shall be kept adequately insured.

(9) The Department of Finance may require copies of any or all accounts described in this section to be filed with it, and shall report annually to the Convention of the Diocese upon its administration of this Canon.

## CANON XVI

### *Executive Council*

SECTION 1. There shall be an Executive Council of the Diocese, to consist of the Bishop, the Bishop Coadjutor, and the Bishop Suffragan, if there be such; nine clergymen, and nine laymen to be elected by the Convention; three lay women to be elected by the Convention upon nomination by the Woman's Auxiliary; and a representative of the Laymen's Association of the Diocese upon nomination of the Association.

SEC. 2. The Convention shall annually elect three clergymen and three laymen as members of the Executive Council, whose term of office shall be three years. It shall also annually elect from among those nominated by the Woman's Auxiliary, one woman whose term of office shall be three years. It shall also annually elect from among those nominated by the Laymen's Association, one layman whose term of office shall be for one year. The Negro race shall at all times be represented in both clerical and lay orders. And no elective member of the Council shall be eligible for re-election until a period of two years shall have elapsed.

SEC. 3. The Executive Council shall have charge of the development and prosecution of the work of Missions, Church Extension, Religious Education, Social Service, and the performance of such work as may be committed to it by the Convention; also of the initiation and development of new work of such character, between the sessions of Con-



vention. It shall fix all stipends and salaries except those fixed by the Convention.

SEC. 4. The Bishop of the Diocese shall be *ex officio* chairman, and the Bishop Coadjutor *ex officio* vice-chairman, of the Executive Council. The Executive Council shall have the power to fill vacancies in its membership until the next annual meeting of the Convention. The Executive Council shall annually elect such other officers and agents as it shall deem necessary, and shall prescribe their duties and fix their compensation. It shall make and preserve a full record of its acts, and shall have the right to adopt by-laws, rules and regulations for its government, and the government of its officials, agents, and departments.

SEC. 5. The Executive Council shall organize from its membership such departments as in its judgment may be necessary including a Department of Finance and shall determine the scope of the work of each department, and provide the manner and the means by which the same shall be done. Each department shall have power, subject to confirmation by the Executive Council, to appoint additional members of its department, who shall have seats and votes in the department, but not in the Council. Each department shall elect a secretary who shall keep a record of its proceedings, and shall report in writing to each stated meeting of the Council, the work done under its direction. The Bishop and the Bishop Coadjutor shall be *ex officio* members of each department.

SEC. 6. The Executive Council shall prepare and present to the Annual Convention a budget for the ensuing year for all work committed to it, and for such work as it may have undertaken, or proposes to undertake; including also, the quota apportioned to the Diocese by the National Council. It shall apportion this budget among the Parishes and Missions of the Diocese. The secretary of the Council shall immediately send a copy thereof to the Rector and Vestry of each Parish, and to the clergyman in charge of, and to the officials of each Mission in the Diocese.

SEC. 7. The Executive Council shall have power to expend all moneys provided in the budget, for the purposes therein specified; and also any surplus received in any years over and above Diocesan and National obligations. Each department shall present to the Executive Council for its consideration and action, a statement in detail of all items it desires to have included in the budget for the ensuing year;





and all statements so presented shall be considered by the Executive Council, and appropriate action taken thereon before the budget for the ensuing year is made up.

SEC. 8. The Executive Council shall submit to each annual Convention a full report of all work done and all moneys expended under its supervision during the preceding year.

## CANON XVII

### *Murdoch Memorial Society*

SEC. 1. The Bishop shall at this Convention\* nominate, and the Convention shall confirm or reject, two clergymen and one layman to serve for one year, and two clergymen and one layman to serve for two years;—and annually hereafter there shall be chosen in the same manner two clergymen and one layman to serve for two years. These six persons together with the Bishop, *ex officio*, shall be known as “The Francis J. Murdoch Memorial Society for the Increase of the Ministry.”

SEC. 2. The Society shall choose from among its members such officers as it shall deem necessary, shall hold meetings at its own discretion, keep a record of all its activities, and report annually to the Convention in such form as in its judgment may seem best.

SEC. 3. It shall have power to dispose of the income from the Francis J. Murdoch Memorial Trust in accordance with the terms of the Trust, and also of such other funds as may come into its hands for its purposes.

SEC. 4. It shall be diligent in seeking out, and if need be, aiding fit persons who desire to prepare for the ministry of the Church, or for its missionary work.

SEC. 5. Such aid shall, under all ordinary circumstances, be in the form of a loan, adequately protected by good and legal security, and with or without interest, as the Society may decide. Such loan may, at the discretion of the Society, be canceled upon the ordination of the beneficiary, and shall be canceled in the event of his death before ordination. Otherwise it shall be in full legal force and effect until paid.

SEC. 6. The members of the Society shall also serve as a Committee on Personnel; acquainting themselves with persons proposing to

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\*Convention—1937.



become candidates for the Ministry; keeping in touch with them during their preparation; counseling them as need may require; and being prepared, when so requested, to give the Bishop the benefit of their judgment regarding the fitness and suitability of such persons for the Ministry of the Church, or for the Missionary work they propose to do.

SEC. 7. Necessary expenses incurred in the discharge of their duty by members of the Society may be paid from the funds at the disposal of the Society.

## CANON XVIII

### *Reports of Mission Churches*

SECTION 1. The ministers and officers of all Missions, and of all Parishes supported wholly or in part by appropriations of Missionary funds, whether Diocesan or General, shall make reports to the Chairman of the Department of Missions and Church Extension as to their work, and the contributions of such Missions and Parishes.

SEC. 2. The Treasurer of each Mission and of each Parish whose Minister receives a missionary stipend shall report to the Chairman of The Department of Missions and Church Extension by the first day of January in each year the amount subscribed by such Mission or Parish for the salary of the Minister thereof and for Diocesan Missions for the current year; and when the amounts so subscribed by any congregation shall appear inadequate, or when no report has been made, the Chairman of The Department of Missions and Church Extension may, either in person or by deputy, make a canvass of such congregation for subscriptions for these two objects.

## CANON XIX

### *Clergy Liable to Missionary Duty*

SECTION 1. All Clergymen receiving aid from the missionary funds of the Diocese shall be liable to perform regular missionary duty, the sphere of which shall be fixed by the Bishop, and the amount of aid by the Bishop and the Department of Missions and Church Extension.

SEC. 2. All grants in aid of Diocesan Missions from whatever source shall be deemed appropriated for use in the fiscal year in which and for which they are made; and such grant shall create no obligation to con-



tinue the grant beyond the fiscal year for which the arrangement is made unless otherwise expressly agreed upon in writing.

## CANON XX

### *Organization of Parishes*

SECTION 1. IN order to form the organization of a new Parish, the proposed congregation, including not less than forty adult communicants, shall—

*First.* Obtain the written consent of the Ecclesiastical Authority.

*Second.* If within the limits of some already existing Parish or Parishes, obtain and present to the Convention the written consent of the Rector or Rectors of the Parish or Parishes.

*Third.* Assume a name and elect a Vestry.

*Fourth.* Subscribe and present to the Committee on New Parishes, at least thirty days before the meeting of the Convention, a certificate in the following words, viz.: “We, the undersigned, being adults, desirous to form ourselves into a Parish of the Protestant Episcopal Church in the Diocese of North Carolina, do certify that we consent to be governed by the Constitution and Canons of the Church, as set forth in the General Convention, and in the Constitution and Canons of the Church in this Diocese; that we have assumed the name of \_\_\_\_\_, and have elected the following persons Vestrymen: \_\_\_\_\_; that we have the ability and that it is our purpose to employ and support a regular minister. It is also our purpose to provide and maintain a suitable house of worship and to bear our proportion of the expenses of the Church in this Diocese. In witness whereof, we have hereunto subscribed our names, this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord \_\_\_\_\_.” For the purpose of recording said subscriptions, as also for the purpose of receiving the subscriptions of subsequent voters, provided for by Article IX, Sec. 3, of the Constitution, a book shall be kept by the Vestry of each parish, and shall be present at the elections. Two or more contiguous congregations may combine to form a self-supporting parish under the foregoing provisions.

SEC. 2. Any Parish which may wish to locate or to establish a Chapel in the vicinity of another church or chapel or another Parish; or any Parish which shall deem its rights encroached upon, or its pros-



perity or usefulness endangered by, the proposed location in its vicinity of a church or chapel or another Parish, may ask for a determination of the matter under the good offices of the Bishop. In such case the Bishop shall call for, and appoint the time and place of, a conference of the Rectors and Vestries of the parishes in interest. But, if such conference with the advice of the Bishop shall not result in an amicable adjustment of the differences between the parties thereto, the Bishop, or either of the parties in interest, may lay the matter at issue before the Standing Committee of the Diocese. After careful investigation and consideration, the Standing Committee shall render its decision, which shall be final.

SEC. 3. To maintain its status as a Parish, the congregation must meet the following standards:

- ✓(a) It must have at least forty adult communicants.
- (b) It must maintain and control a suitable place of worship.
- (c) It must bear its proportionate share of the expenses of the Diocese and the Church according to the Canons.
- (d) It must employ and support a regular minister at a salary meeting the minimum Diocesan requirements.
- ✓(e) It must not fail for two consecutive years to be represented at the Diocesan Convention.
- (f) It must be subject to the Constitution and Canons of the Protestant Episcopal Church in the United States of America, and of the Diocese of North Carolina.

## CANON XXI

### *Vestry and Wardens*

SECTION 1. *Vestry*.—Upon the first Monday in Advent, unless some other day has been specified by the Vestry, each Parish shall annually elect by ballot, by the qualified voters, from among the confirmed male members of the Parish of the age of twenty-one years, in good moral standing, a Vestry of not less than three, nor more than twelve persons. But in the event, at any time, of an omission to elect, or of a refusal of the Vestry-elect to serve, the Vestry last chosen shall hold over until another election shall be held.





*But note:* That any Parish having twenty or more male members of the age of twenty-one years may adopt the rotating vestry system, and in such case shall elect one-third of the Vestry to serve for one year, one-third to serve for two years, and one-third to serve for three years, and thereafter shall annually elect, from among its qualified members who have not served on the Vestry during the past year, one-third of the Vestry, whose term of office shall be three years.

*Further note:* That any parish having a minimum of 100 male members of the age of 21 may adopt a rotation system whereby any member having served on the Vestry is not eligible for re-election until a lapse of three years.

*Note also:* In the event of an individual vacancy on a Vestry, the remaining members of the Vestry then serving may, in their discretion, fill such vacancy prior to the next annual parish meeting by electing a qualified member of the parish. A new member so elected shall complete the term of the member whose place has been filled, and be considered as that member for the purpose of any rotation system existing in the parish.

SEC. 2. *Wardens.*—Each Vestry shall annually elect a Senior and a Junior Warden, being Communicants, from among their own number, the former upon nomination by the Rector. If there be no Rector, the election shall proceed without such nomination. In case of a vacancy in the office of Warden, a successor shall be elected in the same manner.

SEC. 3. *Duties of Wardens.*—In the absence of the Rector, the Wardens shall preside in all meetings of the Vestry or congregation, in the order of their official seniority. As representatives of the Vestry, they shall (subject to its directions and in consistency with the rights of the Rector) have charge of the church building, and shall see that it be kept from all secular uses, and from all uses inconsistent with the doctrines or discipline of the Protestant Episcopal Church, and, so far as possible, in good repair, as becometh the house of God. They shall see that it be prepared for public worship, and that order be preserved during the same; that suitable books be provided for the service, vestments for the Clergy, and, when necessary, the elements for the Holy Communion.

SEC. 4. *Treasurer.*—In the absence of any other appointment, the Junior Warden shall act as Treasurer of the Parish.



SEC. 5. *Vestry Meetings in Certain Cases.*—Should the Rector refuse to call a meeting of the Vestry, when, in the opinion of the Wardens or a majority of the Vestry, such a meeting would be of importance, it shall be competent to the Wardens, or any three of the Vestry, to call one: *Provided*, that the Rector shall have notice of the same.

## CANON XXII

### *Of the Filling of Vacant Cures*

SECTION 1. When a Parish or Congregation becomes vacant, the Church wardens or other proper officers shall notify the fact to the Bishop. If the authorities of the Parish shall for thirty days have failed to make provision for the services, it shall be the duty of the Bishop to take such measures as he may deem expedient for the temporary maintenance of Divine services therein.

SEC. 2. No Rector shall be elected by any Vestry until the Clergyman who is proposed by the Vestry shall have been approved by the Ecclesiastical Authority of the Diocese.

SEC. 3. Written notice of the election signed by the Church Wardens shall be sent to the Ecclesiastical Authority of the Diocese. If the Ecclesiastical Authority be satisfied that the person so chosen is a duly qualified minister, and that he has accepted the office, notice shall be sent to the Secretary of the Convention, who shall so record it. And such record shall be sufficient evidence of the relation between the Minister and the Parish.

SEC. 4. In case of the election of an Assistant Minister, a certificate from the Rector and Wardens shall be sent to the Bishop. The Rector shall not have power to appoint a permanent assistant without the consent of the Vestry.

SEC. 5. In case of a vacancy in a Diocesan Organized Mission, the Bishop shall appoint the minister-in-charge for a term of not more than four years; at the end of such term the minister-in-charge may be re-appointed.

## CANON XXIII

### *Legal Powers of the Vestry*

SECTION 1. The Vestry shall be the Trustees of the Parish; shall have charge of all the secular concerns thereof; shall hold the property be-



longing thereto, and shall be authorized to collect, invest or disburse its funds.

SEC. 2. Before any Vestry, trustee, or other body, authorized by Civil or Canon Law, to hold, manage, or administer the real property of any Parish, Mission, Congregation or Institution, shall be authorized to sell, mortgage, or otherwise convey or encumber any real property held by it or him, in trust for such Parish, Mission, Congregation, or Institution, it or he shall obtain the written consent of the Bishop, acting with the advice and consent of the Standing Committee of the Diocese. Upon obtaining such consent, the Vestry, if such real property be held by it, may authorize the Wardens of the Parish, as the officials thereof, to execute such conveyances as may be necessary or convenient for the purpose, and instruments so executed by the Wardens shall be of the same force and effect as if executed individually by the members of the Vestry. In such instruments, a recital by the Wardens of their authorization to act on behalf of the Vestry, and of the fact that the written consent of the Bishop, acting with advice and consent of the Standing Committee of the Diocese, had been obtained, shall be *prima facie* true, and, in the absence of notice or knowledge to the contrary, may be relied upon by the grantee or grantees in such instruments.

## CANON XXIV

### *Dissolution of Parishes*

SECTION 1. The Bishop and Standing Committee shall triennially make a survey of the Parishes and Missions of the Diocese. If, after any survey, they shall find that a Parish does not meet the standards set in Canon XX, Section 3, or that an Organized Mission does not meet the standards set in Canon XXVII, Section 1, they shall notify the Parish or Organized Mission that unless they meet the aforesaid standards within one year they will be reduced by the Bishop with the advice of the Standing Committee, to the status of Organized Mission or Unorganized Mission, as the case may be. Such reduction will go into effect at the end of the year, if minimum standards are not met. Any parish or mission affected is entitled to a hearing before the Standing Committee within said year of request of that parish or mission.

SEC. 2. In case of the reduction or the dissolution of a Parish, the property belonging to the same shall vest in the Trustees of the Dio-



cese, in trust for the interest of the Church in the said late Parish, and shall, upon the *bona fide* reorganization of said Parish, be reconveyed to the same.

## CANON XXV

### *Registration, Reports, Etc.*

SECTION 1. *Private and Parish Registers.*—It is hereby ordered that each Clergyman of this Church shall keep a register of all the baptisms, marriages, confirmations and burials solemnized by him, as well as of all the baptisms, marriages, confirmations and burials within his Parish or Cure, specifying the names of the persons in each instance; the parentage and date of birth of those baptized, with the names of their sponsors or witnesses, and the time when each rite is performed, which register shall be transcribed at least once in each month into a book to be kept for the purpose by the Vestry of the Parish. This book shall be presented to the Bishop for his inspection at every annual visitation.

SEC. 2. *Lists of Communicants, etc.*—It shall also be the duty of each Clergyman to keep a list of the communicants within his Cure, and, so far as practicable, of all the families and adult persons within the same, to remain for the use of his successor.

SEC. 3. *Letters of Transfer.*—Every clergyman shall instruct his people at least once a year in regard to the law of this Church concerning letters of transfer. When communicants remove from his Parish to that of another, he shall promptly inform the Rector thereof, and shall use all diligence that they may become promptly affiliated with the Parish to which they have removed.

SEC. 4. *Parochial Reports.*—It shall be the duty of every Clergyman, at the beginning of January each year, to prepare, upon the blank form adopted by the General Convention, a report for the year ending December 31st preceding, and deliver the same to the Bishop of the Diocese, on or before the 1st day of February. The report shall include the following information: the number of baptisms, confirmations, marriages and burials among the people of his charge since the close of his last report; also such official acts as he may have performed within or without his Cure, specifying in the latter case the place where performed. He shall also report, as far as practicable, the number of baptized persons and the number of communicants within his Cure,





with the number of children receiving religious instruction in Sunday schools or Parochial schools; also the amount of contributions for Church purposes, as well as such other matters as may throw light on the state of the Parish. For the purpose of all financial and other reports, the Convention year shall begin on January 1st and end on December 31st.

SEC. 5. *Printing of Reports.*—The Parochial Reports, or such parts of the same as the Bishop may deem fit, shall be printed in the Journal of the Convention.

SEC. 6. *If there be no Rector.*—In the case of a Parish without a Rector, it shall be the duty of the Vestry to make the Parochial Report required by this Canon.

SEC. 7. *Communicants to be Reported.*—Every confirmed person, resident of the Parish, who has been admitted to the Holy Communion, and has not withdrawn nor been suspended, shall be reckoned a communicant for the purposes of this Canon.

But the Minister in charge of every congregation shall also report separately, for statistical purposes, as Actual Communicants, the number of Communicants who, he has reason to believe, have not failed to receive the Holy Communion at least once in the last three years.

## CANON XXVI

### *Memorials*

No memorial shall hereafter be placed in any church without the consent both of the Rector or Minister in charge and of the Vestry. No memorial heretofore placed in any church, and none hereafter placed in accordance with this Canon, shall be altered or removed without the consent both of the Rector or Minister in charge, and of the Vestry: *Provided*, that when there is no Rector or Minister in charge, the consent of the Ecclesiastical Authority of the Diocese, with that of the Vestry, shall suffice, and if there be no Vestry, the consent of the Ecclesiastical Authority, with that of the Minister in charge, must be obtained.

## CANON XXVII

### *Missions*

SECTION 1. There shall be two classifications of Missions in this Diocese, *viz.*: Unorganized, and Organized. An Unorganized Mission is



a congregation with less than twenty communicants, recognized as a unit of the Diocese, but without lay representation in the Convention. An Organized Mission is a congregation with twenty or more communicants having its own officers and being in union with the Convention, with lay representation in accordance with Art. III of the Constitution of the Diocese, but not being fully self supporting. But this shall not apply to College and Institutional Chapels.

SEC. 2. Missions may be established outside the limits of existing Parishes, by the Bishop at his discretion, on application of residents of the neighborhood. A Mission so established and having twenty or more communicants may, by being properly organized and making application to the Convention, be admitted into union with it, by vote of the Convention.

Missions may also be established within the limits of an already existing Parish by the Rector of such Parish with the consent of the Bishop. Missions so established shall be accounted an integral part of the Parish to which they belong until such time as they may be received by the Annual Convention as Missions in Union with the Convention, or, as Unorganized Missions of the Diocese. And every Mission so established shall, within five years of its establishment or of the enactment of this amendment, make application to the Convention of the Diocese to be received as a Mission in Union with the Convention, or, as an Unorganized Mission of the Diocese.

In cases where a Parish is supporting a Mission within the Parish, the Finance Department of the Diocese, in determining the missionary quota of that Parish, shall give due regard to the expense borne by such Parish in support of such Mission.

SEC. 3. The officers of an Organized Mission shall be a Warden, Treasurer and Clerk, two of the offices being held, if desired, by one person.

SEC. 4. The Bishop shall appoint the officers at the establishment of a Mission, and annually thereafter, except that in the case of a Mission within the boundaries of a Parish, such appointment shall be made by the Rector thereof: *Provided*, That whenever the number of communicants in a Mission be not less than twenty, the said communicants may elect annually the officers of the Mission; and in case they fail to do so, the Bishop or Rector may appoint.



## CANON XXVIII

### *Trial of Clergymen*

SECTION 1. *The Presentment*.—Any Clergyman shall be liable to presentment and trial for false doctrine, immorality, disorderly conduct, violation of the rubrics, of the Constitution or Canons of the Church in the United States, or of the Constitution or Canons of the Church in this Diocese.

Such presentment shall be made by the Vestry of the Parish in which said Clergyman has charge, or in which he resides, or by at least three male communicants of the Diocese, of full age, or by two or more Presbyters, who shall have been canonically resident therein for one year.

But no presentment shall be made in any case of any offense alleged to have been committed more than three years before the date of the presentment: *Provided*, That if the accused be convicted of the alleged offense in a civil court, presentment may still be made within one year after said conviction.

Said presentment shall be made to the Bishop, in writing, with the names of the presenters subscribed, and shall distinctly declare, with all reasonable specification of time and circumstances, the nature of the offense or offenses with which the said Clergyman may be charged.

SEC. 2. *Public Rumor*.—But although no such presentment be made, if public rumor charge any Clergyman with the commission of any offenses above enumerated, the Bishop shall appoint two or more Presbyters to investigate the truth of such rumor; and if such investigation prove adverse to the Clergyman so charged, the said Presbyters shall make the presentment as above, according to the form and regulations there provided.

The presenters shall, in all cases, assume the responsibility of conducting the prosecution.

SEC. 3. *Service of Presentment—Constitution of Court*.—Should the Bishop be of opinion, from the nature of the charge or charges made, that the presentment contains sufficient grounds for proceeding to trial, he shall cause a copy thereof to be forthwith sent to the accused. He shall then give notice to the Standing Committee, who thereupon shall select seven Presbyters, actually and canonically resident in



the Diocese, from whom the President of the Standing Committee shall, in writing, call upon the accused to elect three. But in case the accused refuse or neglect to make such election within ten days after due notice as aforesaid, the Standing Committee shall make the said election.

The three Presbyters so elected shall constitute a court for the trial of the accused and shall have all powers necessary for the due conducting of the said trial.

SEC. 4. *Lay Assessor.*—The Bishop shall appoint a member of the legal profession, who shall also be a communicant of the Church, as Assessor to the Court, to advise the Court, if requested, upon all questions of law which may arise during the trial.

SEC. 5. *Time and Place of Trial and Notice Thereof.*—The Bishop shall appoint a time and place of trial, and shall give at least thirty days' notice of the same to the members of the Court, the Assessor, the Presenters, and the Accused; at which time and place the Witnesses also shall be notified to attend.

SEC. 6. *Assembling of Court and Record of Proceedings.* — The Court shall assemble at the time and place appointed, and shall proceed to examine fully the charges; and shall keep an accurate record of all their proceedings and of the evidence.

SEC. 7. *Nature of Evidence and How Given.*—No charge shall be considered as established, unless proven by two witnesses, or by one witness and corroborating circumstances.

Testimony may be given orally before the Court, or in writing, upon interrogatories and cross-interrogatories, to be previously filed with the Secretary or Registrar of the Court. Any one or more of the witnesses may be examined on oath or affirmation, on the requisition of either party.

SEC. 8. *Decision of the Court and the Sentence.*—An unanimous vote of the Court on one or more of the charges shall be necessary to the conviction of the accused; and if their decision be adverse to the accused they shall proceed to determine the kind and degree of punishment commensurate, in their opinion, with the offense or offenses committed. They shall transmit the records of their proceedings under their hands to the Bishop, who shall have power to affirm, modify, or





set aside said judgment, and whose decision shall be final, except that he shall have no power to increase the punishment recommended by the Court.

SEC. 9. Suspension, or any heavier sentence, shall *ipso facto*, sever the connection of the Clergyman with his Parish.

SEC. 10. *The Record to be Filed.*—The record provided for in the sixth section of the Canon, together with the Bishop's sentence endorsed, shall be preserved among the papers of the Diocese.

SEC. 11. *Notices.*—For the purpose of any notice provided for by this Canon, it shall be sufficient to serve it either personally or by leaving a copy thereof at the last place of residence of the accused.

SEC. 12. *Confession of an Offense.*—When a Clergyman shall make confession to the Bishop of the commission of any of the offenses enumerated in the first section of this Canon, the Bishop shall proceed to inflict such ecclesiastical censure, or punishment, upon the Clergyman so confessing, as he (the Bishop) shall think right.

SEC. 13. *Renunciation of False Doctrine.*—In the case of any accusation of false doctrine, a renunciation of the same, to the satisfaction of the Bishop, shall stay all further proceedings.

## CANON XXIX

### *Of the Church Pension Fund*

SECTION 1. In conformity with the legislation adopted by the General Convention of 1913, pursuant to which The Church Pension Fund was duly incorporated, and in conformity with the Canon of the General Convention, "Of The Church Pension Fund," as heretofore amended and as it may hereafter be amended, the Diocese of North Carolina hereby accepts and acknowledges The Church Pension Fund, a corporation created by Chapter 97 of the Laws of 1914 of the State of New York as subsequently amended, as the authorized and approved pension system for the clergy of the Protestant Episcopal Church in the United States of America and for their dependents, and declares its intention of supporting said Fund in accordance with its Rules.

SEC. 2. The Bishop of this Diocese shall appoint, annually, a Committee of The Church Pension Fund to consist of three laymen, for a



term of one year and until their successors shall have been appointed or qualified, and the Bishop may from time to time fill by appointment any vacancies in said Committee caused by resignation, death or inability to act.

SEC. 3. The duties of said Committee shall be as follows:

- (a) To be informed of, and to inform the Clergy and Laity of this Diocese of, the pension system created by the General Convention and committed by it to the Trustees of The Church Pension Fund, in order that the ordained clergy of the Church may be assured of pension protection for themselves in the event of old age or total and permanent disability and for their widows and minor orphan children in the event of death.
- (b) To receive reports from The Church Pension Fund, from time to time, on the status of the pension assessments payable to said Fund, under its Rules and as required by Canon Law, by this Diocese and by the Parishes, Missions and other ecclesiastical organizations within this Diocese.
- (c) To make an annual report to the Convention of this Diocese on such matters relating to The Church Pension Fund as may be of interest to the said Convention. Also to make interim reports to the Executive Council just prior to its stated meetings.
- (d) To cooperate with The Church Pension Fund in doing all things necessary or advisable in the premises to the end that the clergy of this Diocese may be assured of the fullest pension protection by said Fund under its established Rules.

SEC. 4. It shall be the duty of this Diocese and of the Parishes, Missions and other ecclesiastical organizations therein, each through its treasurer or other proper official, to inform The Church Pension Fund of salaries and other compensation paid to clergymen by said Diocese, Parish, Mission and other ecclesiastical organization for services rendered, currently or in the past, prior to their becoming beneficiaries of said Fund, and changes in such salaries and other compensation as they occur; and to pay promptly to The Church Pension Fund the pension assessments required thereon under the Canon of the General Convention and in accordance with the Rules of said Fund.

SEC. 5. It shall be the duty of every clergyman canonically resident in or serving in this Diocese to inform The Church Pension Fund



promptly of such facts, as dates of birth, of ordination or reception, of marriage, births of children, deaths, and changes in cures or salaries, as may be necessary for its proper administration and to cooperate with said Fund in such other ways as may be necessary in order that said Fund may discharge its obligations in accordance with the intention of the General Convention in respect thereto.

SEC. 6. Any Parish or Mission, failing for two calendar years to pay the Pension assessments in full, shall be deprived of its rights to the floor of, and to a vote in, Convention until all such arrears are paid in full, when its restoration to rights shall be declared.

SEC. 7. It shall be the duty of the Treasurer of the Diocese, upon notification of arrears of four months or more to the Pension Fund, to deduct from the amount payable to any clergyman officiating in, or in charge of, any aided Parish; or the missionary in charge of any Mission; or a clergyman connected with any institution or agency of the Diocese, the unpaid assessments due from such congregation or agency on any stipend payable by such congregation, institution or agency, including any prior year's arrears, and to pay the same to the Church Pension Fund.

## CANON XXX

### *Examining Chaplains*

In accordance with the Canon of General Convention, Examining Chaplains shall be appointed and confirmed at each annual Convention. Their term of office shall be one year, and until their successors shall have been appointed.



# Rules of Order

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The days and hours of the following schedule and the times of the Services shall be arranged by the Bishop and the Convention:

## I. Order of Business.

### *First Session*

1. Calling of the Roll.
2. A constitutional quorum being found present, the presiding officer shall declare the Convention duly organized.
3. Election of Secretary.
4. Appointment of hours of Convention.
5. Addresses of Bishops.
6. Report of Standing Committee.
7. Report of Executive Council.
8. Report of Trustees of the Diocese.
9. Report of the Chancellor.
10. Nominations, as in Rule of Order XVII, of—
  - Standing Committee.
  - Treasurer of the Diocese.
  - Executive Council.
  - Trustees of the Diocese.
  - Deputies to General Convention.
  - Delegates to Provincial Synod.
  - Trustees of the University of the South (Triennial).
  - Trustees of St. Mary's Junior College.  
(Triennial).
  - Managers of Thompson Orphanage (Biennial).
11. Appointment of Regular Committees.
12. Recess.

### *Second Session*

13. Reports of—
  - Committee on the State of the Church.
  - Committee on Elections.
  - Committee on New Parishes.





Treasurer of the Diocese.  
 St. Mary's Junior College.  
 Managers of Thompson Orphanage.  
 Trustees of University of the South.  
 St. Augustine's College.  
 Good Samaritan Hospital.  
 St. Agnes' Hospital.  
 Murdoch Memorial Society.  
 The Examining Chaplains.  
*The North Carolina Churchman.*  
 Kanuga Lake Corporation.  
 Vade Mecum.  
 Camp Delany.  
 Historiographer.  
 Work Among the Deaf.  
 Laymen's Association.  
 Woman's Auxiliary.  
 Church Pension Fund.  
 Special Committees.

14. Special Orders.
15. Memorials and Petitions.
16. Report of Committee on Canons.
17. Miscellaneous Business.
18. Recess.

### *Third Session*

1. Minutes.
2. Election by Ballot of—
  - Standing Committee.
  - Treasurer of Diocese.
  - Executive Council.
  - Trustees of the Diocese.
  - Deputies to General Convention.
  - Delegates to Provincial Synod.
  - Trustees of the University of the South.
  - Trustees of St. Mary's Junior College.
  - Managers of the Thompson Orphanage.
3. Nomination and confirmation of Examining Chaplains.
4. Nomination and confirmation of the Murdoch Memorial Society.



5. Report of Committee on Canons.
6. Reports of Special Committees.
7. Report of Committee on Unfinished Business.
8. Selection of next place of meeting.
9. Motions and Resolutions.
10. Minutes.
11. Closing Devotions.
12. Adjournment.

II. Unless otherwise ordered, the Presiding Officer shall appoint all Committees.

III. After the President has taken the chair no member shall continue standing, except to address the Chair.

IV. Speakers shall address the Chair, and shall confine themselves to the point in debate.

V. No motion shall be considered unless seconded, and, if required, reduced to writing.

VI. When the President is putting any question, the members shall continue in their seats, and shall not hold any private discourse.

VII. When a question is under consideration, no motion shall be received, unless to lay upon the table, to postpone to a certain time, to postpone indefinitely, to commit, to amend, or to divide; and motions for any of these purposes shall have precedence in the order herein named. The motions to lay on the table and to adjourn shall always be in order, and shall be decided without debate; and of these the motion to adjourn shall take precedence.

VIII. If the question under debate contains several distinct propositions, the same shall be divided at the request of any member, and a vote taken separately, except that a motion to strike out and insert shall be indivisible.

IX. All amendments shall be considered in the order in which they are moved.

When a proposed amendment is under consideration, a motion to amend the same may be made. No after amendment to such second amendment shall be in order. But when an amendment to an amendment is under consideration, a substitute for the whole matter may be



received. No proposition on a subject different from the one under consideration shall be received under color of a substitute.

X. In voting by orders, the names of the delegates from each Parish, shall be called, and each delegate shall vote either "Aye" or "No", and the majority of the votes of the delegates from a Parish shall determine the vote of such Parish. And it shall be the duty of the Secretary to record the names of the voters and the votes which they respectively give. But if the vote be unanimous, it shall suffice to record the number voting in each order; and unless the vote of a Parish be equally divided, it shall suffice to record the vote of the Parish and that of any dissenting delegate.

XI. A question once decided shall stand as the judgment of the Convention, and shall not be drawn again into debate. A motion to reconsider any vote shall not be in order, except on the same or succeeding day to that on which the vote is taken; *Provided, always*, that a vote or question may be reconsidered at any time by the consent of two-thirds of the Convention.

XII. The reports of all Committees shall be in writing, and shall be received without motion for acceptance, unless recommitted. All reports recommending or requiring any action or expression of opinion by the Convention shall be accompanied by a corresponding resolution.

XIII. All questions of order shall be decided by the Chair without debate, but any member may appeal from such decision. And on such appeal no member shall speak more than once without leave.

XIV. No member shall be absent from the sessions of the Convention without leave, or unless he be unable to attend.

XV. When the Convention is about to rise, every member shall keep his seat until the President leaves the chair.

XVI. On motion duly put and carried, the Convention may resolve itself into a Committee of the Whole, with or without closed doors, for the purpose of discussing such subjects as may be approved by the Convention.

The Bishop may select and announce subjects for discussion: *Provided*, that if the motion to go into a Committee of the Whole



has specified the subject to be discussed, that subject shall first be disposed of.

XVII. Nominations *viva voce* for all officers not otherwise provided for shall be in order on the first day of the session; but written nominations also, signed with the name of the proposer, may be handed to the Secretary. All names of persons so nominated for member of the Standing Committee, Deputies, and Supplemental Deputies to the General Convention, or Delegates and Alternate Delegates to the Provincial Synod, shall be reported to the Convention by the Secretary at the second day's session in the form of a ticket on which they shall be printed in alphabetical order. After each list of nominations there shall be left as many blank spaces as there are persons to be elected. These blanks may be used by any voter. The voter shall mark an X opposite the name of each person for whom he votes. On the first ballot these tickets only shall be used, and also in all subsequent ballots except when otherwise ordered by the Convention. On the back of the ticket shall be printed the names of the present members of the Committee, Deputation, or Delegation to be elected. If under any particular head more names are marked than there are places to be filled under that head, that part of such ticket shall not be counted; but such mistakes shall not invalidate the vote under the other heads on that ticket. If there is a failure to elect all the persons necessary on the first ballot, another ballot may be taken in the same manner. After the Deputies to the General Convention, or Delegates to the Provincial Synod, have been elected, the Alternates shall be elected by ballot from those already nominated for Deputies or Delegates, and from such other names as may be proposed, using the printed ballot if convenient. The collection of the ballots shall be called for by the presiding officer at such times as he may see fit, but the business of the Convention shall proceed while the ballots are being made out, and while they are being counted by the tellers. The report of the tellers shall be in order at any time when ready.











